

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b> <b>CHILD WELFARE POLICY</b>	
	<b>Chapter 13:</b> Background Checks	<b>Effective Date:</b> June 1, 2021
	<b>Section 14:</b> Background Checks for Reunification	<b>Version:</b> 1

## STATEMENTS OF PURPOSE

The Department of Child Services (DCS) may conduct criminal background checks on a child's parent, guardian, custodian and/or any person residing with the parent, guardian, or custodian in the same home prior to reunifying a child with the family. DCS will consider case factors and use discretion in completing Child Protective Services (CPS) History Checks, National Sex Offender Registry Checks, Local Criminal Court Records Checks, and Fingerprint-Based Checks.

DCS **may** conduct the following **optional** background checks for the child's parent, guardian, or custodian and/or any person residing in the home of the child's parent, guardian, or custodian:

1. A CPS History Check in every state in which the subject of the check has resided the last five (5) years, for all persons six (6) years of age and older;
2. A National Sex Offender Registry Check in every state in which the subject of the check has resided the last five (5) years, for all persons 14 years of age and older;
3. A Local Criminal Court Records Check in every criminal court jurisdiction in which the subject of the check has resided the last five (5) years, for all persons 18 years of age and older;
4. A Fingerprint-Based Check for all persons 18 years of age and older. See policy 13.15 Fingerprint-Based Checks for further guidance.

**Note:** The [Interstate Identification Index \(Triple I Check\)](#) must not be used on a child's parent, guardian, custodian or household members. See policy, 13.11 Conducting Background Checks for Emergency Unlicensed Placements for additional information.

## Code References

[IC 31-34-21-5.5 Reasonable Efforts to Preserve and Reunify Families](#)

## PROCEDURE

The Family Case Manager (FCM) will:

1. Discuss details of the case and any concerns regarding reunification with the FCM Supervisor including, but not limited to:
  - a. Concerns about the household that have been communicated by the child and/or members of the Child and Family Team (CFT); and/or
  - b. Concerns regarding visitation (e.g., irregular visitation or concerns regarding interaction between the parent and the child).
2. Determine which background checks should be completed, if any;
3. When it is decided that checks will be completed:
  - a. Verify the identity of each subject of a background check, regardless of age by reviewing one (1) available and current government-issued identification (ID)

document. See policy [2.09 Verifying Identity](#) for further guidance. A government-issued ID document may include but is not limited to, a:

- i. Drivers' license;
  - ii. Government issued picture ID;
  - iii. Social Security Card;
  - iv. Birth Certificate; or
  - v. Passport.
- b. Ensure each subject of a background check, 18 years of age or older, completes the [Application for Criminal History Background Check \(SF 53259\)](#) using the subject's legal name as it appears on a current government issued picture identification, and
- i. The subject of the check must sign and date the form; and
  - ii. The FCM must place the original form in the file after completion of the background check process.
- c. Discuss the results of all background checks with the FCM Supervisor to determine any steps needed to ensure the child's safety. See [Related Information](#) for additional guidance.
4. Ensure all decisions and actions taken are documented in the case management system.

The FCM Supervisor will:

1. Discuss details of the case and any concerns with the FCM to determine which, if any, background checks should be completed prior to the child's reunification;
2. Review the results of any background checks completed and guide the FCM in planning for the child's safety; and
3. Ensure all decisions and actions taken are documented in the case management system.

## **PRACTICE GUIDANCE**

### **Fingerprint-Based Check Results for Reunification**

The Fingerprint-Based Check Result Letter for checks conducted for the purpose of reunification will not return with Qualified, Conditionally Disqualified, or Disqualified. The results will be in an informational format to inform the FCM of what has been returned on the criminal history check results. The FCM or FCM Supervisor may contact the Central Office Background Check Unit (COBCU) worker to obtain additional details if needed.

### **Waivers for Reunification**

Fingerprint-Based Checks and CPS History Checks are not mandatory for reunification. Therefore, there is no waiver process. The results of these checks provide additional information the local office may consider in conjunction with other case specifics to determine the overall safety of the home in which reunification of the child is being considered.

### **Undocumented Immigrants**

For the purpose of reunification, an undocumented immigrant may be fingerprinted even if he or she does not have a valid Social Security Number as long as he or she has a current government issued picture ID, even if the ID is issued by the individual's native country. Under other circumstances, contact [COBCUinquiry@dcs.in.gov](mailto:COBCUinquiry@dcs.in.gov) for guidance.

**Note:** The FCM may complete a Permanency and Practice Support (PPS) referral through KidTraks for the International and Cultural Affairs (ICA) Liaison if assistance is needed in locating or verifying documents. See policy [2.22 International and Cultural Affairs Services](#) for additional information.

## **FORMS AND TOOLS**

1. [Application for Criminal History Background Check \(SF 53259\)](#)
2. [Indiana Request for a Child Protection Services \(CPS\) History Check \(SF 52802\)](#)
3. [Background Check Matrix for Unlicensed Relative/Kinship Placement Desk Guide \(11x17\)](#)
4. [DCS Reunification Registration Instruction for Fingerprinting in Indiana](#)

## **RELATED INFORMATION**

### **Inaccurate Criminal Records**

If any of the Fingerprint-Based Criminal Checks conducted by DCS reveal an inaccurate record, the record may be formally challenged by the subject of the check. A Review Challenge of inaccurate information must be made to the arresting agency. For Indiana arrests, this would be made to the Indiana State Police (ISP).